

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NELLY FELIZ,

Plaintiff,

- against -

JPMORGAN CHASE & CO.,

Defendants.

**JOINT MOTION TO MODIFY
SCHEDULING ORDER**

Civil Action No. 07-cv-05694(RJH)

December 27, 2007

Plaintiff Nelly Feliz and Defendant JPMorgan Chase Bank, N.A., sued incorrectly herein as JPMorgan Chase & Co. (collectively the “Parties”), through their undersigned counsel, hereby respectfully move that the Court modify its September 7, 2007 Scheduling Order. In support of their joint motion, the Parties aver as follows:

On September 7, 2007, the Court held an Initial Conference, at which time it issued the following order with regard to scheduling (the “Scheduling Order”):

Amended Pleadings due by 10/22/2007. Fact Discovery due by 1/11/2008. Expert Discovery due by 3/1/2008. Telephone Conference set for 3/14/2008 at 10:00 AM before Judge Richard J. Holwell.

Subsequent to entry of the Scheduling Order, the Parties have been conducting discovery diligently. However, the Parties have had to postpone depositions due to scheduling conflicts and delays in acquiring necessary documents. As a result, the Parties require additional time to complete depositions, which are currently scheduled to begin in February.

Therefore, the parties request that the Scheduling Order be modified to the following effect: that the deadline for Fact Discovery be extended ninety days, until April 11, 2008; that the

deadline for Expert Discovery be extended by ninety days, until June 1, 2008; and that the date of the Telephone Conference be extended ninety days, until June 13, 2008.

Dated: New York, New York
December 21, 2007

/s/ Derek T. Smith
Derek T. Smith (DS 1747)
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Dated: Hartford, Connecticut
December 27, 2007

/s/ Joseph R. Geoghegan
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CERTIFICATION OF SERVICE

I hereby certify that on December 27, 2007, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this document through the court's CM/ECF System.

/s/ Joseph R. Geoghegan
Joseph R. Geoghegan